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Verdict

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

17 Cr. 396 WHP

5 JOHN CHAMBERS,

6 Defendant.

7 -----x

8 April 24, 2018
9 9:47 a.m.

10 Before:

11 HON. WILLIAM H. PAULEY III

12 District Judge
13 and a jury

14 APPEARANCES

15 GEOFFREY S. BERMAN,
16 Interim United States Attorney for the
17 Southern District of New York
18 ALEX ROSSMILLER,
19 PAUL M. MONTELEONI,
20 Assistant United States Attorneys

21 GALLET DREYER & BERKEY, LLP
22 Attorneys for defendant Chambers
23 BY: ROGER LEE STAVIS, Esq.
24 JARED B. FOLEY, Esq.
25 - and -
26 STEVEN L. BROUNSTEIN, PLLC
27 BY: STEVEN LLOYD BROUNSTEIN, Esq.
28 Of counsel

Also Present:

MICHAEL BUSCEMI, Special Agent FBI
YOLANDA BUSTILLO, Paralegal Specialist USAO

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1 (Deliberations resume)

2 (In open court; jury not present)

3 (Time noted: 9:47 am)

4 THE COURT: Good morning. Please be seated.

5 The jury began deliberating this morning. Alternate
6 13 reported for duty here, and I've excused him and sent him
7 home. A short time ago I received a note from the jury,
8 informing me that the jury has reached a verdict.

9 Where is Mr. Stavis?

10 MR. BROUNSTEIN: Judge, I am assuming he is on his
11 way. I was getting emails from him at 7:00 o'clock this
12 morning. I have known him for 30 years. I have never seen him
13 late in my life. This could be him right now -- no. If we
14 need to proceed, Judge, we can proceed, sir.

15 THE COURT: All right. Let's bring in the jury.

16 (The jury entered the courtroom at exactly 9:48 am)

17 THE COURT: Everyone may be seated. Good morning,
18 members of the jury.

19 JUROR: Good morning, your Honor.

20 THE COURT: Members of the jury, I am informed that
21 you have reached a verdict. I'll ask my Deputy to retrieve the
22 verdict form from the foreperson.

23 (Mr. Stavis entered the courtroom)

24 (Pause)

25 THE COURT: Max, if you would return the verdict form

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1 to the foreperson. Madam foreperson, if you would stand.

2 Madam Foreperson, with respect to Count 1, bribery.

3 With respect to Count 1 of the indictment, how does
4 the jury find the defendant John Chambers, not guilty or
5 guilty?

6 THE FOREPERSON: Guilty.

7 THE COURT: With respect to Count 2 of the indictment,
8 conspiracy to commit bribery, how does the jury find the
9 defendant John Chambers, not guilty or guilty?

10 THE FOREPERSON: Guilty.

11 THE COURT: With respect to Count 3, honest services
12 wire fraud, how does the jury find the defendant John Chambers,
13 not guilty or guilty?

14 THE FOREPERSON: Guilty.

15 THE COURT: With respect to Count 4, conspiracy to
16 commit honest services wire fraud, how does the jury find the
17 defendant John Chambers, not guilty or guilty?

18 THE FOREPERSON: Guilty.

19 THE COURT: Have you signed the verdict form as the
20 foreperson?

21 THE FOREPERSON: Yes, I have.

22 THE COURT: And dated it?

23 THE FOREPERSON: Yes, I have.

24 THE COURT: Fine. You may be seated. Please retrieve
25 retrieve the verdict form and mark it as a court exhibit.

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1 THE CLERK: It will be No. 8, Judge.

2 THE COURT: Mark it as Court Exhibit 8 and show it to
3 counsel.

4 (Pause)

5 THE COURT: Are there any applications before the jury
6 is discharged?

7 MR. STAVIS: I would ask your Honor to poll the jury.

8 THE COURT: Very well. I'll direct my Deputy to poll
9 the jury.

10 THE CLERK: Listen to the verdict as it stands
11 recorded.

12 (The jury was duly polled; all jurors answer in the
13 affirmative)

14 THE CLERK: Your Honor, the jury is polled and the
15 jury is unanimous.

16 THE COURT: All right. Are there any further
17 applications before the jury is discharged?

18 MR. ROSSMILLER: Not from the government, your Honor.

19 MR. BROUNSTEIN: No, sir.

20 THE COURT: All right. Members of the jury, I want to
21 thank you on behalf of the parties and the court for your
22 service as jurors in this case. You were an attentive,
23 punctual and exemplary jury, and for that we thank you.

24 There is only one form of service that your country
25 can call upon you for that's higher than jury service, and I

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1 hope in the troubled times that we live in, that none of you
2 are called for that service.

3 I am now lifting all the prohibitions that I
4 previously placed upon you. You're free to discuss this case
5 if you wish. I ask only that you respect the sanctity of jury
6 deliberations and speak only for yourself.

7 For those of you who have a few moments, I'll come
8 into the jury room in a few minutes and greet you. For those
9 who have to leave, I understand fully well and appreciate your
10 service. Please recess the jury.

11 THE CLERK: All rise. Jury exiting.

12 (Jury excused)

13 THE COURT: Everyone may be seated.

14 At this time are there any further applications?

15 MR. ROSSMILLER: Not from the government, your Honor.

16 MR. STAVIS: Yes, from the defense. We would ask that
17 Mr. Chambers be permitted to remain at liberty under the same
18 conditions as previous pending sentence.

19 MR. ROSSMILLER: We have no application as to bail,
20 your Honor.

21 THE COURT: Fine. The conditions of bail that were
22 previously fixed in this case will continue to apply. I will
23 set this matter down for sentencing on August 9, 2018, at 2:00
24 pm. I am going to direct the government to promptly provide a
25 prosecution case summary to the Probation Department.

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1 Mr. Stavis, I'll direct you to arrange for a prompt
2 interview of your client by Probation for the purpose of
3 preparing the presentence investigation report.

4 MR. STAVIS: Yes. I would ask that the referral to
5 probation reflect that counsel wishes to be present at that
6 interview.

7 THE COURT: I will include that in the referral. Mr.
8 Chambers, I recognize this has to be a very difficult moment
9 for you. We'll all endeavor to move forward. For now, this
10 matter is concluded and I'll see you on August 9th.

11 (Court adjourned)
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